

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published December 11, 2007 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held December 18, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

#### Tuesday, December 18, 2007:

NG-041            Commission Hearing Room, Lincoln.  
10:30            In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer.

#### Wednesday, December 19, 2007:

NUSF-68           Commission Hearing Room, Lincoln.  
10:00            In the Matter of the Distance Education Council of Nebraska seeking support from the Nebraska Universal Service Fund for use in distance education. Commissioner Vap presiding as Hearing Officer.

#### Monday, January 7, 2008:

FC-1327           Commission Hearing Room, Lincoln.  
2:00            In the Matter of the Formal Complaint of the Nebraska Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3423        In the Matter of the Request by 34 Nebraska Rural Local Exchange Carriers seeking to revise the Commission's July 20, 2004 Order Granting Suspension of the Federal Communications Commission's requirement to implement wireline-wireless number portability pursuant to 47 U.S.C. 251(f)(2): Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order on supplemental applications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3879        In the Matter of Wholesale Carrier Services, Inc., Coral Springs, Florida, seeking authority for a Certificate of Authority to provide resold and facilities-based/UNE Local Exchange and Interexchange telecommunications services within the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3882        In the Matter of HCI Investment Company, d/b/a Native Sky Technologies, Winnebago, seeking authority to provide competitive facilities-based and resold local exchange services in the Winnebago exchange within the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

              Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders granting Applications E-2161 through E-2163. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE.

E-2161        In the Matter of Loup River Public Power District, Columbus seeking authority to construct, operate and maintain electric transmission lines in Platte and Colfax Counties.

E-2162        In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County.

E-2163        In the Matter of Lincoln Electric Systems, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County.

              Gene Hand informed the Commission of the status of the Level 3 Communications, LLC Nebraska P.S.C. Tariff No. 2 filing.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand discussed and distributed the Executive Summary and Appendix A for Nebraska from the Final Report for the Regional Oversight Committee's 2005 Audit of Qwest's Performance Assurance Plans.

Gene Hand updated the Commission on the status of the current lease of Nebraska Public Power District's dark fiber by Frontier Communications.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter orders approving Phase I LEC costs for Dockets 911-023.68 and 911-023.70. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.68 In the Matter of Fremont Police Department, Public Safety Answering Point, Fremont, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.70 In the Matter of the Hastings Police Department, Hastings, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders approving funding for the following in Dockets 911-023.17, 911-023.44 and 911-023.71. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE.

911-023.17 In the Matter of Dawson County, Public Safety Answering Point, Lexington, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Cost of equipment in part.

911-023.44 In the Matter of Polk County, Public Safety Answering Point, Osceola, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Cost of equipment and maintenance, in part.

911-023.71 In the Matter of Hitchcock County, Public Safety Answering Point, Trenton, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: GIS data development, software, maintenance and software support.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders approving requests for a GIS Repository password in Dockets 911-024.01 through 911-024.19 (excluding 911-024.05, 911-024.07 and 911-024.15). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-024.01 Cedar County  
911-024.02 Madison County  
911-024.03 Dixon County  
911-024.04 Boone County  
911-024.06 Hamilton County  
911-024.08 Cuming County  
911-024.09 Norfolk Police Division  
911-024.10 Dakota County  
911-024.11 Boyd/Holt Counties PSAP  
911-024.12 Hastings Police/Adams County PSAP  
911-024.13 Polk County  
911-024.14 Furnas County  
911-024.16 Cheyenne County  
911-024.17 Mid Rivers 911  
911-024.18 Washington County  
911-024.19 Perkins County

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders in Dockets 911-024.05, 911-024.07 and 911-024.15 scheduling a hearing for January 22, 2008 at 1:30 in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-024.05 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Action Communications, Inc

911-024.07 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Viaero Wireless.

911-024.15 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Great Plains GIS Partnership.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-035/ In the Matter of the Commission, on its own motion, seeking  
PI-133 to investigate cost recovery by wireless carriers directly  
from public safety answering points for the implementation  
of enhanced wireless 911 service: Motion made by Commissioner Jerry  
Vap, seconded by Commissioner Anne Boyle, to enter an order opening  
the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson,  
Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner  
Johnson was appointed Hearing Officer.

Jeff Pursley was directed by the Commission to publish  
notice and forward recommendations for two open positions on the E911  
Wireless Advisory Board for a member of the public and a municipal  
official or employee.

NUSF-33/ In the Matter of the Commission, on its own motion, seeking  
PI-68 to investigate the audit requirements related to the  
Nebraska Universal Service Fund. Commissioner Landis  
presiding as Hearing Officer: Motion made by Commissioner Anne Boyle,  
seconded by Commissioner Jerry Vap, to enter an order approving audit  
waiver requests. Motion passed with Commissioners Anne Boyle, Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37 In the Matter of Jeffrey L. Pursley, Director, Nebraska  
.137 Telecommunications Infrastructure and Public Safety  
Department, Complainant v. Norlight telecommunications,  
Respondent(s): Motion made by Commissioner Jerry Vap, seconded by  
Commissioner Anne Boyle, to enter an order dismissing the complaint.  
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-64 In the Matter of the Commission, on its own motion, seeking  
to investigate the use of expense caps in the earnings  
calculation for Nebraska Universal Service Fund support. Commissioner  
Boyle presiding as Hearing Officer: Jeff Pursley discussed the  
Hearing Officer's order entered December 18, 2007, establishing a  
procedural schedule as follows:

Comments due January 18, 2008;  
Pre-filed testimony due February 1, 2008;  
Rebuttal of pre-filed testimony due February 15, 2008;  
Pre-Hearing Conference on February 26, 2008 at 1:30 p.m. in  
the Commission Hearing Room, Lincoln;  
Hearing on March 4, 2008 at 1:30 p.m. in the Commission  
Hearing Room, Lincoln; and,  
Continuance of hearing on March 5, 2008 at 10:00 a.m. if  
needed.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley discussed the NUSF Late-Filed Carrier Remittances. Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve that current complaints against Budget Phone, Inc, Movida Communications and Custom Teleconnect be amended to include additional late-filed worksheets and complaints be opened against Global Tel\*Link Corporation, Trinsic Communications, and NobelTel, LLC. Mr. Pursley also recommended that late fees be levied against Houlton Enterprises, Network Communications International, New Cingular Wireless and Telecorp Communications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Laura Demman discussed the Hearing Officer's order entered December 10, 2007, rescheduling the hearing on Objection to Assessment to December 18, 2007, at 10:30 a.m. in the Commission Hearing Room, Lincoln.

NG-0048 In the Matter of NorthWestern Corporation, d/b/a NorthWestern Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the Settlement Agreement. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter Assessment Orders in Dockets FC-1327, NG-0041 and NG-0048. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1327 In the Matter of the Formal Complaint of the Nebraska  
HS-004 Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks  
HS-016 (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

NG-0048      In the Matter of NorthWestern Corporation, d/b/a North  
HS-004      Western Energy, Sioux Falls, South Dakota, seeking approval  
             of a natural gas general rate increase for Nebraska.  
             Commissioner Vap presiding as Hearing Officer.

TRANSPORTATION DEPARTMENT

Rate Division

MR-930      In the Matter of Movers and Warehouse Division, Nebraska  
             Motor Carriers Association, Lincoln, seeking authority to  
             establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The  
             fuel surcharge was retained at 86 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the following shortages:

GW-2170      In the Matter of Archer Grain Company, Archer: Corn  
GW-2173      In the Matter of Emerson Grain LLC, Emerson: Corn and  
             Soybeans

Grain Dealer Division

GD-2923      In the Matter of Louis Dreyfus Norfolk LLC, Norfolk,  
             seeking a Grain Dealer License, subject to the fulfillment  
             of all statutory requirements, for the license period ending  
             September 30, 2008: Motion made by Commissioner Jerry Vap, seconded  
             by Commissioner Frank Landis, to enter an Order granting the applica-  
             tion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
             Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Com-  
missioner Tim Schram, to approve the Executive Director's recommenda-  
tion to approve the following Commission invoices. Motion passed with  
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE.

Larry Fauss	\$	990.00
Thomson West		815.00
Rod Johnson		522.83

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the 2008 IRS mileage reimbursement rate for Commissioners and non-contract Commission employees. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to set the 2008 staff contract mileage reimbursement rate. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to allow Grain Warehouse and Communications Department employees to carry forward accrued vacation leave to 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the Merit Plan for 2007-2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:40 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on January 8, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 7, 2008.

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Chairman

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Executive Director